

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Weaver Cooke Construction, LLC,	)	
	)	
Appellant/Cross-Appellee,	)	<b>JUDGMENT</b>
	)	
East Carolina Masonry, Inc.,	)	No. 5:14-CV-710-BR
	)	
Appellee/Cross-Appellant.	)	
	)	

**Decision by Court.**

This action came before Senior US District Judge W. Earl Britt for consideration regarding the appeal from the US Bankruptcy Court, Eastern District of North Carolina.

**IT IS ORDERED, ADJUDGED AND DECREED** that the bankruptcy court's 19 September 2014 order is AFFIRMED IN PART and REVERSED IN PART. This matter is REMANDED with direction to the bankruptcy court to enter summary judgment in ECM'S favor on Weaver Cooke's negligence claim.

**This judgment filed and entered on March 17, 2017, and served on:**

Joseph P. Gram (via CM/ECF Notice of Electronic Filing)  
Kelli E Goss (via CM/ECF Notice of Electronic Filing)  
Luke J. Farley (via CM/ECF Notice of Electronic Filing)  
C. Hamilton Jarrett, III (via CM/ECF Notice of Electronic Filing)  
William Walter Rapp (via CM/ECF Notice of Electronic Filing)

March 17, 2017

PETER A. MOORE, CLERK OF COURT

*Kelli E. Goss*  
By: Deputy Clerk

